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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/765,830	01/19/2001	Satish Sundar	3492/ALRT/DD/BCVD/JW	9916

7590 04/10/2002

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[REDACTED] EXAMINER

UNDERWOOD, DONALD W

ART UNIT	PAPER NUMBER
3652	

DATE MAILED: 04/10/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.	Appln(s)
09/765830	Sundar
Examiner Underwood	Group Art Unit 3652

—The MAILING DATE of this communication appears on the cover sheet beneath the correspondence address—

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE three MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, such period shall, by default, expire SIX (6) MONTHS from the mailing date of this communication .
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).

Status

- ^{the application} Responsive to communication(s) filed on 6/19/01
- This action is FINAL.
- Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- Claim(s) 1-29 is/are pending in the application.
- Of the above claim(s) NONE is/are withdrawn from consideration.
- Claim(s) _____ is/are allowed.
- Claim(s) 1-29 is/are rejected.
- Claim(s) _____ is/are objected to.
- Claim(s) _____ are subject to restriction or election requirement.

Application Papers

- See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.
- The proposed drawing correction, filed on _____ is approved disapproved.
- The drawing(s) filed on _____ is/are objected to by the Examiner.
- The specification is objected to by the Examiner.
- The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119 (a)-(d)

- Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
- All Some* None of the CERTIFIED copies of the priority documents have been received.
- received in Application No. (Series Code/Serial Number) _____
- received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____

Attachment(s)

- Information Disclosure Statement(s), PTO-1449, Paper No(s). 4 Interview Summary, PTO-413
- Notice of Reference(s) Cited, PTO-892 Notice of Informal Patent Application, PTO-152
- Notice of Draftsperson's Patent Drawing Review, PTO-948 Other _____

Office Action Summary

DETAILED ACTION

1. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

2. Claims 3, 4, 8, 9, 10, 16, 17, 22 and 23 are rejected under 35 U.S.C. 112, first paragraph, as containing subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. It is unclear what how the electromechanical and gear transmission or friction transmission system is constructed. (Claims 3, 4, 16 and 17). It is also unclear how the first extension motor controls movement of the second blade. (Claims 8, 9, 10, 22 and 23). The detailed disclosure must set forth the structure of these motors. The introduction of new matter should be guarded against.

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claims 8, 9, 10, 22 and 23 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

It appears "second" in the last line of each of these claims should be --first--.

Clarification is required.

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

Art Unit: 3652

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) do not apply to the examination of this application as the application being examined was not (1) filed on or after November 29, 2000, or (2) voluntarily published under 35 U.S.C. 122(b). Therefore, this application is examined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

6. Claims 1, 6, 7, 11, 12, 13, 14, 19, 20, 21 and 24-49 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by Bacchi et al '444.

Regarding claims 24-29, note figure 10 wherein each blade can be moved to an aligned position A or an off set position B or C.

7. Claims 1, 6, 7, 11, 12, 13, 14, 19, 20, 21 and 24-29 are rejected under 35 U.S.C. 102(e) as being clearly anticipated by Bacchi et al '768.

Regarding claims 24-29, note figure 9.

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Art Unit: 3652

9. Claims 2, 3, 4, 15, 16 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over either Bacchi et al '444 or '768 in view of Hiruma et al.

It would have been obvious to use a stepper motors for each motor in either primary reference in view of the teaching in Hiruma if desiring to save weight.

Regarding applicant's electromechanical motor and gear transmission system or friction transmission system such are equivalents to the stepper motors in Hiruma. See applicant's specification, page 7, lines 26-33.

10. Claims 5 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bacchi et al '444 or '768 in view of Tepolt.

It would have been obvious to use two segment arms instead of three segment arms in either primary reference in view of the teaching in Tepolt. This would provide a unitary main linkage.

11. Any inquiry concerning this communication should be directed to D. Underwood at telephone number 308-1113.

Underwood/cw
March 28, 2002

Donald W. Underwood 04/10/02
DONALD W. UNDERWOOD
PRIMARY EXAMINER